

REMARKS

Following entry of this amendment, claims 1-15, 26-28, 33-45, 50, 53, 59-66, 68, 71-82, 84-93, 95, 98-109 and 111-112 remain pending in the application of which claims 1, 37, 59, 82, 86 and 109 are independent. Claims 1, 7, 37, 59, 82, 86 and 109 have been amended. Claims 21, 29-30, 67 and 94 have been canceled without prejudice herein. Claims 16-20, 22-25, 31-32, 46-49, 51-52, 54-58, 69-70, 83, 96-97 and 110 were previously canceled. No claims have been added. No new matter has been added.

35 U.S.C. § 102(b) Rejections

Claims 1-15, 19-21, 26-30, 33-35, 37-38, 40-45, 50, 53, 59-60, 62-68, 71-82, 84, 86, 87, 89-95, 98-109 and 111 were rejected as being anticipated by Wicks et al (United States Patent No. 5,796, 394, hereafter "Wicks"). Claims 21, 29-30, 67 and 94 have been canceled herein so the rejections directed to those claims are therefore moot. Applicants respectfully traverse the remaining rejections based on the Amendments above and the arguments submitted below.

Summary of Wicks

Applicants note that the parent application (now U.S. Patent No. 6,731,316) of this continuation application was allowed after consideration of Wicks.

Wicks et al discusses a communications routing system. A base station which is connected to a display is connected to multiple types of devices in a Local Area Network or other type of network. The base station is equipped with a keypad input device similar to those found on standard telephones. The base station receives transmissions intended for the various types of device in the LAN from multiple types of exterior networks having different data formats.

Each of these networks represents a suitably distinct communications infrastructure that has its own data formats (or information types), protocol, devices and user interfaces. For example, the telephone network uses telephone dialing devices such as hardwired or cellular telephones having standard twelve key keypads to communicate analog or digital voice information. These aspects of the telephone system are

different from, and incompatible with, a network such as the Internet which routes data between computers by using specialized Internet protocols (e.g. transmission control protocol/Internet protocol TCP/IP), file transfer protocol (FTP) and user interfaces(e.g. native operating system commands or World Wide Web (WWW) browsers that make use of the computer's display screen, mouse and keyboard to achieve a user interface. Similarly, a paging network has its own data formats, protocol, devices and user interfaces. (Column 4, lines 5-20)

The base station filters and routes this information to the various devices and provides a common interface for the retrieval of the information. The purpose of the system in Wicks is to provide a common interface for information retrieval for different types of devices on the local network which are receiving information in their specific data formats. All communications to the office [i.e.: LAN devices] go through the base station (column 2, lines 40-41).

The intercepted information may be retrieved by a user of the Wicks system via the keypad-like input device embedded in the base station. The base station generates a display of icons approximately arranged on the display in an orientation similar to that of the keypad. Actions are taken in response to a user pushing one of the buttons on the keypad corresponding to an icon on the display. Alternatively, the information may be retrieved by docking a handheld communicator to a docking station attached to one of the devices which is interfaced with the base station over the LAN. The handheld communicator has a numeric keypad and a unique user ID. The device to which the handheld communicator is docked may or may not have a display. The handheld communicator may or may not have a display. Once docked at a particular device in the LAN, information intended for that device may be sent to the device via the handheld communicator.

Argument

Wicks fails to disclose all of the elements of Applicants' independent claims. Applicants' claim 1 is directed to "a mobile telephone apparatus" that includes a display surface, a keypad, logic for triggering an event in response to a selection of an associated key, and a processor for executing the logic. Claim 1 recites:

1. **A mobile telephone apparatus, said mobile telephone apparatus comprising:**
 - a display surface** for displaying information in a visually partitioned manner, said visually partitioned information being presented on said display in at least two regions;
 - a keypad** containing keys, each of said keys corresponding to at most a single region of said display, wherein each region is associated with at least one of the keys in the keypad and represents a choice of an option that may be selected by selecting the associated key;
 - logic** for triggering an event in response to a selection of the associated key; and
 - a processor** for executing the logic for triggering the event, said event triggered by the selection of the associated key.

Wicks fails to disclose **an** apparatus that contains all of these claim elements. Rather, Wicks discusses a communications system made up of multiple different devices and different communication networks that performs a filtering function for incoming messages transmitted with different data formats. The communications routing system of Wicks uses a base station to intercept incoming message traffic. The incoming message traffic is intended for other devices on the LAN, not for the base station. The base station generates a common user interface for the display which may be used in conjunction with the keypad input device on the base station to retrieve the information intended for the other devices. Alternatively, a user may use a handheld communicator docked with a LAN device to retrieve information via the base station generated user interface using a keypad on the handheld communicator. In response to the selection, the base station in Wicks provides information to a user. In other words, the processing of the selection in the interface in Wicks is being performed at the base station.

The Examiner pointed to claim 1 of Wicks as disclosing a mobile telephone apparatus that disclosed the elements of claim 1. See Office Action page 2. However, claim 1 in Wicks literally claims the exact opposite of Applicants' claim 1. Claim 1 in Wicks claims a method for accessing information in a communication system. The system in Wicks' claim 1 includes "a processor coupled to a display screen, memory, and first and second communication networks, the system further comprising **a mobile telephone handset including a telephone keypad wherein the mobile telephone handset is remote from the processor**"(see Wicks claim 1, preamble). If the processor in Wicks is **remote** from the mobile telephone handset, Wicks clearly does not disclose a "mobile telephone apparatus **comprising**: ...a processor for executing

logic for triggering the event” as recited in Applicants’ claim 1. For at least this reason, Wicks fails to support a 35 U.S.C. §102(b) rejection of Applicants’ claim 1.

Furthermore Wicks also fails to disclose a “mobile telephone apparatus **comprising:** ...logic for triggering an event in response to a selection of the associated key.” The processing in Wicks is being performed at the base station rather than at the mobile telephone handset. The base station is not a mobile telephone apparatus. As noted explicitly in Wicks’ claim 1 preamble, the processor (which would execute the logic for triggering an event) is remotely located from the telephone handset (and telephone keypad).

Accordingly, for at least these reasons Wicks fails to anticipate claim 1 and the claims dependent thereon.

Similarly, independent claim 37 is a portable electronic apparatus claim corresponding to claim 1 that recites a portable electronic apparatus in place of a mobile telephone apparatus. Applicants respectfully assert that the arguments set forth above with respect to claim 1 are equally applicable to claim 37 as the base station that contains the processor is not a portable electronic apparatus.

Accordingly, for at least these reasons Wicks fails to anticipate claim 37 and the claims dependent thereon.

Independent claim 59 recites:

59. In a portable electronic apparatus having a display and a keypad having keys, a method comprising:

displaying information on the display of said portable electronic apparatus so that the display is visually partitioned in regions, wherein each region is associated with at least one of the keys on the keypad, each of said keys corresponding to at most a single region of said display; and

receiving, on the portable electronic apparatus, a selection of a selected one of the keys on the keypad;

processing logic associated with the selection **with a processor located in the portable electronic apparatus**, the processing triggering an event, wherein each region is associated with a service and wherein the selection of the selected key triggering the

event causes information to be displayed on the display that concerns a service associated with the selected key.

As noted above during the discussion of claim 1, the processor in the Wicks system is located remotely from the telephone handset/portable electronic apparatus. Accordingly, Wicks fails to disclose processing logic associated with the selection **with a processor located in the portable electronic apparatus**. Accordingly, for at least these reasons, Wicks fails to anticipate claim 59 and the claims dependent thereon.

Similarly, independent claim 82 is a method claim corresponding to claim 59 except that it recites a mobile telephone instead of a portable electronic apparatus. Applicants respectfully assert that the arguments set forth above with respect to claim 59 are equally applicable to claim 82.

Accordingly, for at least these reasons Wicks fails to anticipate claim 82 and the claims dependent thereon.

Independent claims 86 and 109 are medium claims that correspond to method claims 59 and 82. Applicants respectfully submit that claims 86 and 109, and the claims respectively dependent thereon, are allowable for the same reasons set forth above for claims 59 and 82. Reconsideration and allowance of claims 86 and 109 and their dependent claims is requested.

35 U.S.C. § 103 Rejections

The remaining § 103 rejections are directed to dependent claims and the cited references being combined with Wicks fail to remedy the shortcomings of Wicks that were discussed above with respect to the independent claims. Accordingly, since the dependent claims include all of the elements of the independent claims, and since the cited combination of references fails to render obvious all of the elements of Applicants' independent claims, Applicants request the reconsideration and allowance of claims 36, 39, 61, 85, 88 and 112.

CONCLUSION

In view of the above, Applicants believe the pending application is in condition for allowance. Should the Examiner feel that a teleconference would expedite the prosecution of this application, the Examiner is urged to contact the Applicants' attorney at (617) 227-7400.

Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080, under Order No. AVE-001CNRCE. In the event that a petition for an extension of time is required to be submitted herewith, and the requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized to be charged to the aforementioned Deposit Account.

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Respectfully submitted,

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